

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Inventor(s): Mills

Group Art Unit: 1745

Appln. No.: 09/008,947

Examiner: Kalafut

Filing Date: 1/20/1998

Title: HYDRIDE FUEL CELL

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August 14, 2001

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Attached are PTO/SB/O8 B forms listing the enclosed documents. These documents were uncovered and utilized by Applicant as background material in preparing experimental evidence requested by the U.S. Patent and Trademark Office ("PTO"). None of the cited documents disclose or teach Applicant's lower-energy hydrogen technology.

Applicant hereby petitions the PTO to consider this information disclosure statement in accordance with 37 C.F.R. § 1.97.

To the best of the undersigned's and applicant's knowledge, we were not aware of these documents before mid-July 2001. It should be pointed out, however, that over the course of the twelve-plus years of researching and developing Applicant's lower-energy hydrogen technology, Applicant has cited an extraordinary number of articles in

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the many papers and books he has written. Thus, we cannot be absolutely certain that we were unaware of all of the enclosed documents for more than three months. With this understanding after making a "reasonable inquiry" as required by Rule 97(e)(2), I hereby certify that, to my knowledge, no item of information contained in the Information Disclosure Statement filed herewith was known to any individual designated in Rule 56(c), including Applicant and the undersigned, for more than three months prior to the date of filing of this Information Disclosure Statement in the PTO. I further certify that no item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application.

Applicant further submits that the final Office Action entered in this case is improper and a petition to remove the improper finality will be filed shortly. Thus, if the finality is removed, no petition fee would be necessary and the enclosed documents should then be fully considered under Rule 97(c). If a petition fee is required, please charge any deficiency to our Deposit Account No. 50-0687 under Order No. 62-226 for which purposes this paper is submitted in duplicate.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to fully comply. Consideration of the foregoing and enclosures plus the return of a copy of the herewith PTO/SB/08B forms with the

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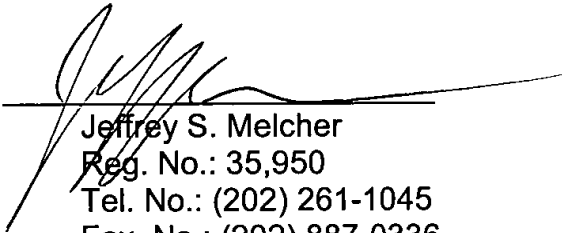
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Examiner's initials in the left column per MPEP § 609 along with an early action on the merits of this application, are earnestly solicited.

Respectfully submitted,

Manelli Denison & Selter PLLC

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